

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CHARLES LANGONE, as FUND MANAGER  
of the NEW ENGLAND TEAMSTERS AND  
TRUCKING INDUSTRY PENSION FUND, )

Plaintiff, )

v. )

THE 357 CORP. )

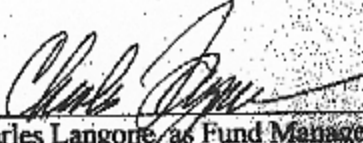
Defendant. )

C.A. No. 04cv11454 GAO

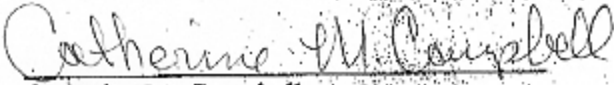
CERTIFICATION PURSUANT TO LOCAL RULE 16.1

The Plaintiff, Charles Langone, Fund Manager of the New England Teamsters and Trucking Industry Pension Fund, and his counsel hereby certify that we have conferred:

- (a) with a view to establish a budget for the costs of conducting the full course, and various alternative courses, of the litigation; and
- (b) to consider the resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in Local Rule 16.4.

  
Charles Langone, as Fund Manager of  
New England Teamsters and Trucking  
Industry Pension Fund

12/16/2004  
Dated

  
Catherine M. Campbell  
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Boston, MA 02109  
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12/16/04  
Dated